

REMARKS/ARGUMENTS

The foregoing amendment and the following arguments are provided to impart precision to the claims, by more particularly pointing out the invention, rather than to avoid prior art.

Applicants select Group I (claims 1 - 8) for prosecution. Applicants hereby cancel claims 9 - 21 (Group II) without prejudice.

35 U.S.C. § 102 (e) Rejections

Examiner rejected claims 1 – 3 and 6 - 8 under 35 U.S.C. § 102(e) as being anticipated by Buynoski, U.S. Patent No. 6,667,552 (hereinafter “Buynoski”).

Claim 1 includes a limitation of at least one shunt comprising a first material different from a second material of the first and second at least one interconnects selectively covering the first and second at least one interconnects. Buynoski does not disclose such a limitation, and as a result does not anticipate claim 1. Specifically, Buynoski discloses a multi-layer semiconductor device including several metal layers (See, e.g., Figs. 1-2). The metal layers include metal 1 – metal 6 and vias (Col. 6, lines 22-36). Buynoski does not disclose that the metal layers and vias are made from different materials. As a result, claim 1 is not anticipated by Buynoski.

Claims 2-3 and 6-8 depend from claim 1, and therefore include all the limitations of claim 1. Since claim 1 is not anticipated by Buynoski, claims 2-3 and 6-8 are also not anticipated by Buynoski.

35 U.S.C. § 103 (a) Rejections

Examiner rejected claims 4 - 5 under 35 U.S.C. §103(a) as being unpatentable over Buynoski in view of Dubin et al., U.S. Patent No. 6,696,758 ("Dubin").

Claims 4-5 depend from claim 1 and therefore include all the limitations of claim

1. Dubin does not disclose the limitation discussed above. Since claim 1 is not anticipated by Buynoski, claims 4 and 5 are patentable over Buynoski and Dubin.

CONCLUSION


Applicants respectfully submit the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call the undersigned at (408) 720-8300.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

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